

medley Farm
18.13.

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) CIVIL ACTION FILE NO. 7:86-252-3
)
RALPH C. MEDLEY, et al.,)
)
Defendants.)
_____)

AFFIDAVIT

RICHARD D. STONEBRAKER, being first duly sworn, deposes
and says:

1. I am an Environmental Scientist employed in the Emergency and Remedial Response Branch (ERRB), Waste Management Division, U.S. Environmental Protection Agency (EPA), Region IV. I have been employed by EPA since 1970.

2. I have a Bachelor of Sciences degree in Microbiology from Indiana University and have done graduate work in environmental engineering at Georgia Institute of Technology. In preparation and training for my current position, I have completed EPA courses in the areas of personnel protection and safety, project officer's training program, environmental photographic interpretation, use of the Oil and Hazardous Material Technical Assistance Data System, and use of the Emergency Cleanup and Response Services contract.



3. Currently, I am Acting Branch Chief of ERRB and am an On-Scene-Coordinator (OSC). I have been in this position since April 1986. My primary duties as Acting Branch Chief include the management of all aspects of EPA's hazardous waste response program in Region IV. I am also responsible for assigning and supervising on-scene-coordinators for federal response actions. The on-scene coordinator is the federal official predesignated to coordinate and direct federal response actions under the National Contingency Plan (NCP). As an OSC, my duties include the investigation, coordination and direction of federal response activities at hazardous waste sites. During my tenure at the U.S. Environmental Protection Agency, I have been assigned to approximately 300 investigations.

4. From 1980 to 1986 I was Deputy Chief of ERRB and an OSC. In 1983, I was the OSC assigned to the Medley site. I conducted the preliminary assessment and investigation at the site. I visually inspected and surveyed the site in order to determine the extent of contamination. I directed sampling and cleanup activities at the site. The sampling program was designed to obtain representative samples of waste streams (such as soil and water) at the site.

5. On June 1, 1983, EPA was notified by the State of South Carolina of the conditions at the Medley site. South Carolina Department of Health and Environmental Control (DHEC) requested that EPA investigate the conditions at the site.

6. On June 6, 1983, I participated in an inspection of the Medley site. The Medley Farm site is located in Cherokee

County, South Carolina in an area of rolling topography and is located approximately 100 yards from Thickety Creek. Several residential wells were located downgradient and in the vicinity of the site.

7. During the June 6, 1983 inspection, I observed several thousand 55-gallon drums in deteriorating condition on the site, with many of the drums leaking their contents onto the soil. Large quantities of waste had also been discharged onto the ground from the leaking drums at the site and there were six unlined lagoons containing a mixture of rainwater and waste. The Medley Farm site was easily accessible to the public and there were no barriers present at the site to limit access. The site presented a serious fire threat due to the flammable material present at the site. Based upon my observation of site conditions, I concluded that further releases of waste into the environment were likely to occur from the deteriorating drums and from the unlined lagoons.

8. During the June 6, 1983 inspection, the ambient air inside the drum area was measured with an Organic Vapor Analyzer (OVA) and 1000 parts per million (ppm) of volatile organics were detected. The OVA registered 3.1 ppm offsite, which was the background level for volatile organics.

9. During the June 6, 1983 inspection, composite water and sediment samples were collected and analyzed by IT Corporation of Knoxville, Tennessee. These samples were taken from the soil

and surface water at the site. The analysis of the samples revealed the presence of aniline oil, methylene chloride, benzene, phenol, toluene and vinyl chloride in the soil and surface water ponds on the site.

10. Aniline, methylene chloride, benzene, phenol, toluene and vinyl chloride are hazardous substances as defined in Section 101(14) of CERCLA, 42 U.S.C. §9601(14).

11. As a consequence of my inspection of the site and the analysis of composite water and sediment samples, I determined that the conditions at the Medley Farm site required an immediate removal action to prevent further deterioration of conditions which might adversely affect public health and the environment. I initiated a federal cleanup of the facility under provisions of Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (Superfund), 42 U.S.C. § 9604(a).

12. Analysis of residential well water samples and of 2972 drum samples by O.H. Materials Company, the cleanup contractor, during the response action revealed the presence of various hazardous substances, as defined in Section 101(14) of CERCLA, at the site and in the groundwater.

13. EPA's cleanup action commenced on June 29, 1983, and concluded on July 21, 1983. Approximately 2,132 cubic yards of contaminated soil/solid waste and 24,200 gallons of liquid waste material were removed from the Medley Farm

site and disposed of at an approved hazardous waste disposal facility. As of May 20, 1985, costs incurred for EPA's cleanup action were in excess of \$570,000.

14. As a result of the releases and threatened releases of hazardous substances at the Medley site, EPA incurred response costs to abate the hazard at the site.

The foregoing facts are within my personal knowledge, and if called as a witness I could competently testify thereto.

Further, affiant sayeth not.


RICHARD D. STONEBRAKER
Affiant

Subscribed and sworn to before me this 12th day of
Sept., 1986.


NOTARY PUBLIC

Notary Public, Georgia, State at Large
My Commission Expires My Commission Expires Apr. 23, 1988